

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

WILLIAM D. PAUL,)
)
Petitioner,)
)
v.) Civil Action No.: 02:07mc3367-MHT
)
UNITED STATES OF AMERICA,)
)
Respondent.)

MOTION TO DISMISS

Comes now the respondent, United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and moves for the dismissal of the above-styled cause, and as grounds, states as follows:

1. The petitioner initiated these proceedings by filing a Petition to Quash on June 5, 2007.
2. Since the filing of the petitioner's motion, the respondent has determined not to pursue enforcement of the summonses, as issued, in this matter.
3. As the respondent will not seek enforcement of the summonses, as issued, their no longer exists a case or controversy between the parties that can, or need be, resolved by the Court.

WHEREFORE, premises considered, the petitioner's Motion to Quash is due to be and should be dismissed as moot.

Respectfully submitted this 13th day of June, 2007.

LEURA G. CANARY
United States Attorney

By: /s/R. Randolph Neeley
R. RANDOLPH NEELEY
Assistant United States Attorney
Bar Number: 9083-E56R
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418
E-mail: rand.neeley@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed, by United States Postal Service, a copy of same to the following non-CM/ECF participant(s):

William D. Paul
102 Meadow wood Court
Wetumpka, AL 36093

s/R. Randolph Neeley
Assistant United States Attorney